

Q00C01
Maryland Parole Commission
 Department of Public Safety and Correctional Services

Operating Budget Data

(\$ in Thousands)

	<u>FY 12</u> <u>Actual</u>	<u>FY 13</u> <u>Working</u>	<u>FY 14</u> <u>Allowance</u>	<u>FY 13-14</u> <u>Change</u>	<u>% Change</u> <u>Prior Year</u>
General Fund	\$4,887	\$5,128	\$5,685	\$557	10.9%
Contingent & Back of Bill Reductions	0	0	-9	-9	
Adjusted General Fund	\$4,887	\$5,128	\$5,676	\$548	10.7%
Special Fund	61	189	0	-189	-100.0%
Adjusted Special Fund	\$61	\$189	\$0	-\$189	-100.0%
Adjusted Grand Total	\$4,948	\$5,317	\$5,676	\$359	6.7%

- The Maryland Parole Commission (MPC) fiscal 2014 allowance increases by \$359,000, or 6.7%, compared to the fiscal 2013 working appropriation, mainly due to personnel expenses.

Personnel Data

	<u>FY 12</u> <u>Actual</u>	<u>FY 13</u> <u>Working</u>	<u>FY 14</u> <u>Allowance</u>	<u>FY 13-14</u> <u>Change</u>
Regular Positions	66.00	76.00	76.00	0.00
Contractual FTEs	<u>1.67</u>	<u>4.48</u>	<u>3.56</u>	<u>-0.92</u>
Total Personnel	67.67	80.48	79.56	-0.92

Vacancy Data: Regular Positions

Turnover and Necessary Vacancies, Excluding New Positions	5.00	6.58%
Positions and Percentage Vacant as of 12/31/12	3.00	3.95%

- MPC is losing a 0.92 contractual full-time equivalent (FTE) in the fiscal 2014 allowance. The grant for the FTE is not being renewed for fiscal 2014.

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Analysis in Brief

Major Trends

Retake Warrant Processing: MPC has aimed to expedite its retake warrant processing time. Once a parolee violates the terms of parole, the parole agent notifies MPC, who then transmits a warrant for the parolee's arrest. The goal of 35% of retake warrants processed in three days was exceeded by the agency, reaching 38% in fiscal 2012. **MPC should comment on what changes were made to meet the 35% target and what the plan is to maintain productivity.**

Scheduling Revocation Hearings: Offenders on parole or mandatory release who have allegedly committed a technical violation are also under MPC's jurisdiction. The agency exceeded the goal to have 70% of hearings conducted in a 30-day time period by completing 77% of hearings within the specified time period in fiscal 2012. **MPC should discuss what has contributed to the agency's ability to meet the established target, even with an increase in hearings. The agency should also comment on how the new earned release policy will impact the number of hearings conducted, including timeliness, since more inmates will be on parole.**

Timely Scheduling of Local Parole Hearings: The goal of MPC is to have 50% of local parole hearings scheduled and docketed within 30 days of receipt of the pre-parole investigation. Some improvement was made in fiscal 2012, when the percent of hearings scheduled within the timeframe was 42%, up from 40% in fiscal 2011. MPC has indicated that the current target is unattainable and will be modified to scheduling and docketing 50% of local parole hearings within 60 days of the pre-parole investigation. MPC reported that 89% of local parole hearings were scheduled within 60 days of receipt in fiscal 2012. **The agency should comment on why the goal for scheduling and docketing 50% of cases within 30 days of receiving the pre-parole investigation is unattainable. The Department of Legislative Services (DLS) recommends revising the goal to achieve 50% of local parole hearings scheduled within 45 days of receipt of the pre-parole investigation if the 30-day explanation is sufficient and deemed unattainable by the budget committees.**

Issues

Consistently Implementing Decisionmaking Tools: The budget committees asked the department in the 2012 *Joint Chairmen's Report* to review data from fiscal 2011 and 2012 on the number of times a parole commissioner overrides a decision derived from a risk assessment tool, either at the point of initial parole or at a revocation hearing, and submit a report. The report was received seven weeks late. The report stated that the department was not able to provide statistics on the number of times hearing officers' recommendations or commissioners' decisions have been outside the guidelines of parole policy. No further discussion or reasoning behind the inability to provide the data requested was offered. **MPC should comment on what ongoing steps are being taken to evaluate the effectiveness of the risk assessment tool. MPC should also comment on the reasons for the 2012 report being turned in significantly past the due date. DLS recommends the addition of**

language requiring MPC to submit reports on Consistently Implementing Decisionmaking Tools.

Recommended Actions

1. Add language requiring the Maryland Parole Commission to submit reports regarding Consistently Implementing Decisionmaking Tools.

Updates

Parole for Locally Sentenced Inmates: The department implemented the use of video conferencing for parole hearings for locally sentenced inmates in September 2010 at five pilot locations. The pilot locations were Allegany, Baltimore, Frederick, Prince George’s, and Washington counties. Annual cost savings due to the video hearings, resulting from a decrease in room and meal costs for staff, were \$1,618. The department calculates the savings in staff productivity to be an additional \$2,143. Expansion of video conferencing is currently being implemented in Howard, Montgomery, St. Mary’s, and Talbot counties.

Q00C01 – DPSCS – Maryland Parole Commission

Q00C01
Maryland Parole Commission
Department of Public Safety and Correctional Services

Operating Budget Analysis

Program Description

The Maryland Parole Commission (MPC) hears cases for parole release and revocation and is authorized to parole inmates sentenced to a term of confinement of six months or more from any correctional institution in Maryland except the Patuxent Institution. The commission is authorized to issue warrants for the return to custody of alleged violators and revoke supervision upon finding a violation of the conditions of parole or mandatory supervision release has occurred. The commission also makes recommendations to the Governor regarding pardons, commutations of sentences, and parole of inmates sentenced to life imprisonment.

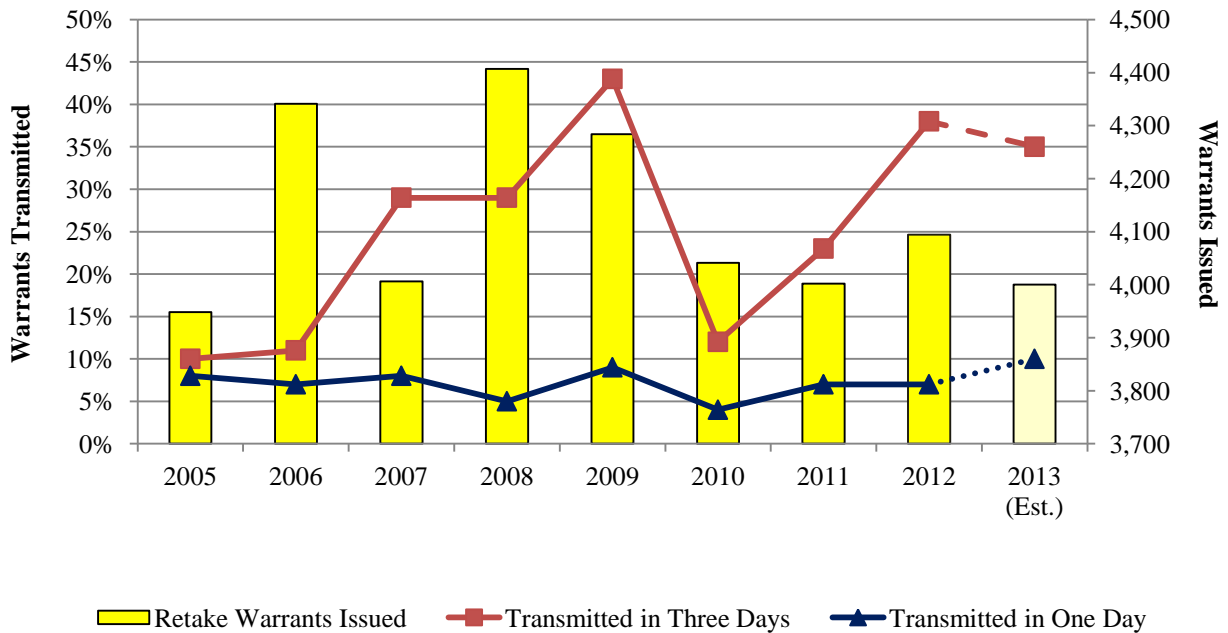
Performance Analysis: Managing for Results

1. Retake Warrant Processing

As part of its mission to enhance public safety and promote safe communities, MPC has aimed to expedite its retake warrant processing time. When a parolee violates the terms of parole, the parole and probation agent who works on the case in the parolee's region notifies MPC. Once notice has been received, MPC transmits a warrant to the Central Home Detention Unit/Community Surveillance Enforcement Program for the parolee's arrest, so a determination can be made as to whether the parolee will return to the correctional institution from which the parolee was released. A faster process time means offenders who should not be in the community may be apprehended more quickly for parole violations.

Exhibit 1 reveals the agency's recent success in processing retake warrants in a timely fashion. MPC has aimed to process at least 35.0% of its retake warrants within three business days. In both fiscal 2010 and 2011, the percent never exceeded 24.0%, yet during fiscal 2012, MPC processed 38.0% of retake warrants within three business days, exceeding the 35.0% goal. Fiscal 2009 was the last time the target was reached, recording 43.0%, then plummeting to 12.0% the following year. The number of warrants issued increased in fiscal 2012 by 2.3% to approximately 4,100. **MPC should comment on what changes were made to meet the 35% target and what the plan is to maintain productivity.**

**Exhibit 1
Maryland Parole Commission
Retake Warrant Processing
Fiscal 2005-2013 (Est.)**

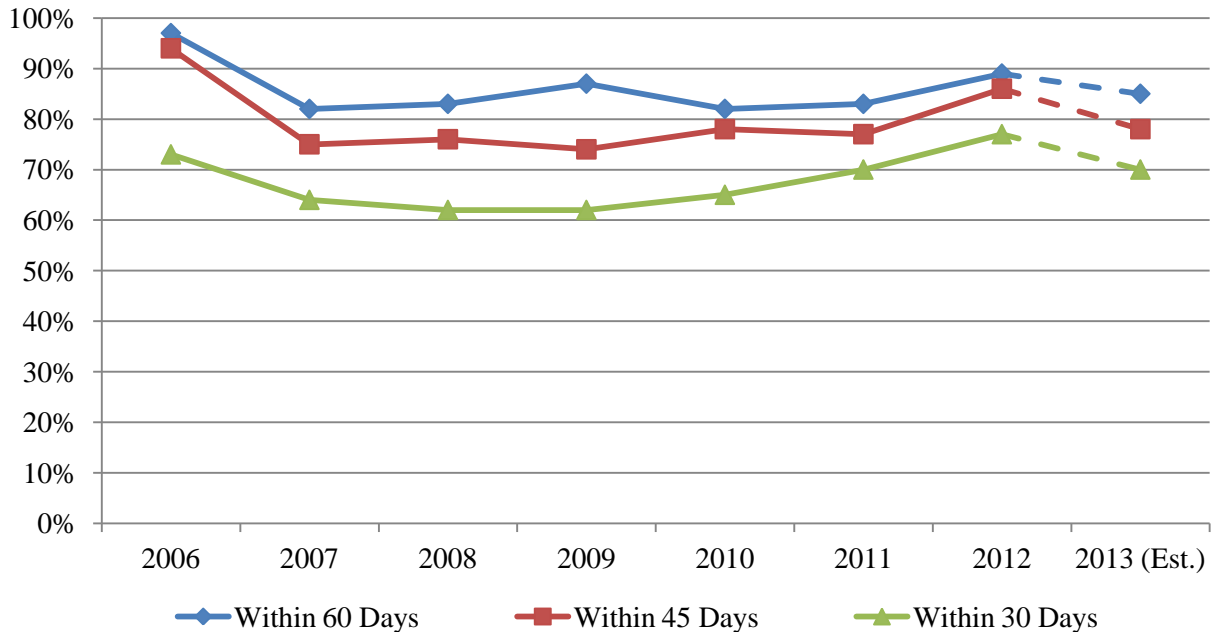


Source: Department of Public Safety and Correctional Services; Governor’s Budget Books, Fiscal 2014

2. Scheduling Revocation Hearings

MPC is also responsible for conducting revocation hearings for offenders on parole or mandatory release who have allegedly committed a technical violation. Offenders are held in the Department of Public Safety and Correctional Services Operations custody until the revocation hearing is conducted; therefore, efficient turnaround and scheduling has a direct impact on correctional resources. **Exhibit 2** shows the percentage of revocation hearings for alleged technical violations conducted within 30 days of the offenders’ return to custody. The agency’s target is to have 70.0% of hearings conducted in the 30-day time period. The agency was able to meet its goal for the second consecutive year, by having 77.0% of revocation hearings scheduled within 30 days of a return to custody. In fiscal 2012, the number of inmates heard by MPC increased by 10.4%, from 16,220 in fiscal 2011 to 17,901. **MPC should discuss what has contributed to the agency’s ability to meet the established target even with an increase in hearings. The agency should also comment on how the new earned release policy will impact the number of hearings conducted including timeliness since more inmates will be on parole.**

Exhibit 2
Maryland Parole Commission
Timeliness of Scheduling Revocation Hearings
Fiscal 2006-2013 (Est.)

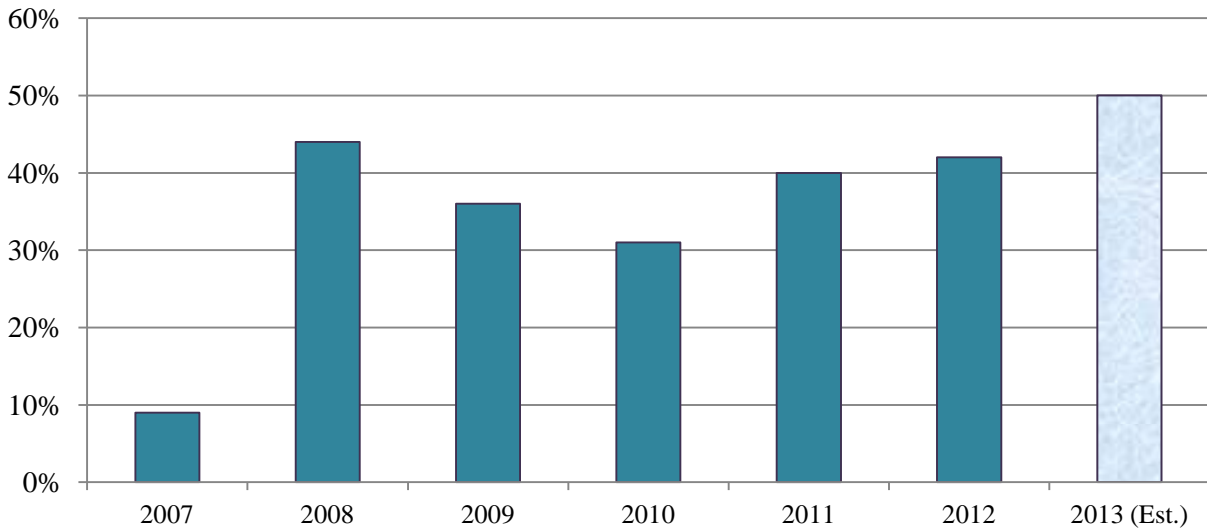


Source: Department of Public Safety and Correctional Services; Governor’s Budget Books, Fiscal 2014

3. Timely Scheduling of Local Parole Hearings

Exhibit 3 shows the agency’s progress toward achieving its goal of having 50% of local parole hearings scheduled and docketed within 30 days of receipt of the pre-parole investigation. Some improvement was made in fiscal 2012, when the percent of hearings scheduled within the timeframe was 42%, up from 40% in fiscal 2011. MPC has indicated that the current target is unattainable and will be modified to scheduling and docketing 50% of local parole hearings within 60 days of the pre-parole investigation. MPC reported that 89% of local parole hearings were scheduled within 60 days of receipt in fiscal 2012. **The agency should comment on why the goal for scheduling and docketing 50% of cases within 30 days of receiving the pre-parole investigation is unattainable. The Department of Legislative Services (DLS) recommends revising the goal to achieve 50% of local parole hearings scheduled within 45 days of receipt of the pre-parole investigation if the 30-day explanation is sufficient and deemed unattainable by the budget committees.**

Exhibit 3
Maryland Parole Commission
Scheduling Local Parole Hearings within 30 Days of Receipt
Fiscal 2007-2013 (Est.)



Source: Department of Public Safety and Correctional Services

Proposed Budget

Exhibit 4 highlights the changes made from the 2013 working appropriation to the fiscal 2014 allowance. Personnel expenses are the biggest change in the MPC allowance. The biggest increase from the working appropriation in 2013 and the 2014 allowance is a \$248,000 increase in turnover adjustments, largely due to the annualization of 10 new positions provided in fiscal 2013 at a 50.0% turnover rate. The turnover rate decreased from 12.26% to 6.58%; this better aligns the turnover percentage with the percentage of vacancies for MPC, which is 3.95%. Employee and retiree health insurance, as well as the employees' retirement system, increased in the fiscal 2014 allowance by \$63,000 and \$68,000, respectively, both due to changes in rate calculations.

Other changes included a \$41,000 increase in utility payments because of a change in contract for the Reisterstown Road Office Center lease; the cost per square foot decreased, but MPC now pays for utilities. The special fund decrease is attributed to the completion of a \$160,000 grant from the Abell Foundation and \$21,390 due to the elimination of Budget Restoration funds. The Abell Foundation grant money funded the 0.92 position to provide initial tracking and data analysis for the earned release policy, as well as providing funds to hire a consultant to assist in implementing the earned release policy.

Exhibit 4
Proposed Budget
DPSCS – Maryland Parole Commission
(\$ in Thousands)

How Much It Grows:	<u>General</u> <u>Fund</u>	<u>Special</u> <u>Fund</u>	<u>Total</u>
2013 Working Appropriation	\$5,128	\$189	\$5,317
2014 Allowance	<u>5,685</u>	<u>0</u>	<u>5,685</u>
Amount Change	\$557	-\$189	\$368
Percent Change	10.9%	-100.0%	6.9%
Contingent Reductions	-\$9	\$0	-\$9
Adjusted Change	\$548	-\$189	\$359
Adjusted Percent Change	10.7%	-100.0%	6.7%

Where It Goes:

Personnel Expenses

Turnover adjustments	247
Employees' retirement system.....	68
Employee and retiree health insurance, net of across-the-board reductions.....	63
Annualization of fiscal 2013 general salary increase	41
Workers' compensation premium assessment.....	16
Other personnel changes.....	-1
Employee compensation.....	-36

Other Changes

Utilities	41
Office Supplies	5
Rent.....	-19
Management studies and consultants	-21
Special payments payroll.....	-45
Total	\$359

Note: Numbers may not sum to total due to rounding.

Issues

1. Consistently Implementing Decisionmaking Tools

The budget committees asked the agency in the 2012 *Joint Chairmen's Report* to review data from fiscal 2011 and 2012 on the number of times a parole commissioner overrides a decision derived from a risk assessment tool, either at the point of initial parole or at a revocation hearing, and submit a report.

The report stated that the agency was unable to provide statistics on the number of times hearing officers' recommendations or commissioners' decisions have been outside the guidelines of parole policy. No further discussion or reasoning behind the inability to provide the data requested was offered. Fifty random cases from fiscal 2010 and 2011 were provided during the 2012 session; a more complete picture of what was occurring was deemed appropriate and a report was requested. The report was received seven weeks late. MPC provided 50 additional cases from fiscal 2012, yet the statistical significance is unable to be calculated from such a sample in order to determine effectiveness of the tool. A new assessment tool was implemented in 2011, and no study has been performed to evaluate its effectiveness.

The ability to look at a full fiscal year's worth of data would allow for a better understanding of the decisionmaking tools being utilized and how consistent the decisions are within MPC instead of a random sample of 50 cases from approximately 6,875 initial parole hearings held.

Overrides should be measured in order to examine the effectiveness and usefulness of the risk assessment tool being utilized and the consistency to which it is being used. If a recommendation for an inmate to stay incarcerated longer or shorter is a trend, the tool and its interpretation should be reevaluated. Evaluation can only occur once data has been presented.

MPC did provide data on the consistency with which its recommendations were adhered to by the hearing officers for the technical violation matrix used at parole revocation hearings in fiscal 2012. The matrix was used with regards to 541 cases; of which 442 decisions, or 81.7%, were within the matrix guidelines. Of the remaining 99 cases, 53, or 9.8%, were above guidelines, and 46 cases, or 8.5%, were below guidelines. These results demonstrate an effective matrix.

The agency should comment on what steps are being taken to evaluate the effectiveness of the risk assessment tool. MPC should also comment on the reasons for the 2012 report being turned in significantly past the due date. DLS recommends the addition of language requiring MPC to submit reports on Consistently Implementing Decisionmaking Tools.

Recommended Actions

1. Add the following language to the general fund appropriation:

, provided that \$200,000 of this appropriation made for the purpose of departmental administration may not be expended until the Maryland Parole Commission submits the following reports to the budget committees on Consistently Implementing Decisionmaking Tools: (1) a report, including fiscal 2011 and 2012 data, on the number of times hearing officers' recommendations and commissioners' decisions have been outside the guidelines of parole policy, including both revocation and initial parole hearings, should be received July 1, 2013; and (2) a report, including fiscal 2013 data, on the number of times hearing officers' recommendations and commissioners' decisions have been outside the guidelines of parole policy, including both revocation and initial parole hearings, should be received October 1, 2013. For each fiscal year requesting data, a minimum of 1,000 random cases should be evaluated.

Further provided that the budget committees shall have 45 days to review and comment on each report from the date of receipt. Funds restricted pending the receipt of the reports may not be transferred by budget amendment or otherwise to any other purpose and shall revert to the General Fund if the reports are not submitted to the budget committees.

Explanation: This language restricts \$200,000 until the department provides reports on the number of times hearing officers' recommendations and commissioners' decisions have been outside the guidelines of parole policy, at both the point of initial parole and at a revocation hearing. Each report should contain a minimum of 1,000 random cases using the most recently implemented risk assessment tool from initial parole hearings for each fiscal year and all cases heard using the technical violation matrix. Reports citing 50 cases do not provide enough data for statistical significance. Overrides should be measured in order to examine the effectiveness and usefulness of the risk assessment tool being utilized and the consistency to which it is being used. If a recommendation for an inmate to stay incarcerated longer or shorter is a trend, the tool and its interpretation should be reevaluated.

Information Request	Author	Due Date
Consistently Implementing Decisionmaking Tools	Maryland Parole Commission	July 1, 2013 and October 1, 2013

Updates

1. Parole for Locally Sentenced Inmates

In September 2010 at five pilot locations, the agency implemented the use of video conferencing of parole hearings for locally sentenced inmates. The pilot locations were Allegany, Baltimore, Frederick, Prince George's, and Washington counties. Video conferencing eliminates the need for parole commissioners to travel to county detention centers for small dockets, which should improve time management for MPC and potentially generate cost savings for both MPC and the local facilities. The total number of hearings held in fiscal 2012 was 13,929 compared to 11,723 in fiscal 2011, an 18.8% increase.

For the period of September 2010 through June 2011, the agency held 602 video parole hearings at the five pilot sites. The same timeframe in fiscal 2012 provided 897 video hearings resulting in a 49% increase in video parole hearings. Annual cost savings due to the video hearings, resulting from a decrease in room and meal costs for staff, was \$1,618. MPC calculates the savings in staff productivity to be an additional \$2,143.

Expansion of the video conferencing is currently being implemented in Howard, Montgomery St. Mary's and Talbot counties.

Audit Findings

Audit Period for Last Audit:	July 1, 2009 – December 18, 2011
Issue Date:	November 2012
Number of Findings:	0
Number of Repeat Findings:	0
% of Repeat Findings:	0%
Rating: (if applicable)	n/a

The audit did not disclose any findings.

**Object/Fund Difference Report
DPSCS – Maryland Parole Commission**

<u>Object/Fund</u>	<u>FY 12 Actual</u>	<u>FY 13 Working Appropriation</u>	<u>FY 14 Allowance</u>	<u>FY 13 - FY 14 Amount Change</u>	<u>Percent Change</u>
Positions					
01 Regular	66.00	76.00	76.00	0.00	0%
02 Contractual	1.67	4.48	3.56	-0.92	-20.5%
Total Positions	67.67	80.48	79.56	-0.92	-1.1%
Objects					
01 Salaries and Wages	\$ 4,448,315	\$ 4,844,233	\$ 5,251,507	\$ 407,274	8.4%
02 Technical and Spec. Fees	42,677	117,238	73,150	-44,088	-37.6%
03 Communication	34,441	42,815	39,880	-2,935	-6.9%
04 Travel	23,630	18,000	22,000	4,000	22.2%
06 Fuel and Utilities	24,613	0	41,430	41,430	N/A
07 Motor Vehicles	11,114	10,710	11,140	430	4.0%
08 Contractual Services	99,853	39,025	17,050	-21,975	-56.3%
09 Supplies and Materials	38,276	33,000	37,800	4,800	14.5%
10 Equipment – Replacement	4,172	2,435	974	-1,461	-60.0%
13 Fixed Charges	220,482	209,539	190,111	-19,428	-9.3%
Total Objects	\$ 4,947,573	\$ 5,316,995	\$ 5,685,042	\$ 368,047	6.9%
Funds					
01 General Fund	\$ 4,887,067	\$ 5,127,605	\$ 5,685,042	\$ 557,437	10.9%
03 Special Fund	60,506	189,390	0	-189,390	-100.0%
Total Funds	\$ 4,947,573	\$ 5,316,995	\$ 5,685,042	\$ 368,047	6.9%

Note: The fiscal 2013 appropriation does not include deficiencies. The fiscal 2014 allowance does not include contingent reductions.